

STATE OF ILLINOIS)
) SS.
COUNTY OF ST. CLAIR)

E5
2/24/18
159012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-84
)
PAUL SAUGET, individually, SAUGET AND)
COMPANY, a Delaware corporation, EAGLE)
MARINE INDUSTRIES, INC., a Missouri)
corporation, and RIVER PORT FLEETING)
INC., a Missouri corporation,)
)
 Respondents.)

MOTION TO DISMISS
WITHOUT PREJUDICE

NOW COMES Complainant, ENVIRONMENTAL PROTECTION AGENCY,
by its attorney WILLIAM J. SCOTT, Attorney General of the State
of Illinois, pursuant to Section 52(1) of the Civil Practice Act
and moves this Board to dismiss without prejudice, as to Respon-
dents, EAGLE MARINE INDUSTRIES, INC. and RIVER PORT FLEETING, INC.
only, the Complaint in this matter. In support hereof, Complain-
ant states as follows:

1. The facts, as known to Complainant at the time of
the filing of the Amended Complaint in this cause, warranted

the inclusion of the aforesaid Respondents in this cause.

2. The aforesaid Respondents are the present landowners of the closed refuse disposal site involved in this action.

3. The complaint in this action was amended to add the aforesaid Respondents in order to assure that the alleged former operator of the site, PAUL SAUGET, would have access to the site to place final cover on the site.

4. The aforesaid Respondents have signed the attached stipulation. In this stipulation they agree to freely allow access to the site by the remaining Respondents and state that they will not obstruct efforts of the remaining Respondents to place final cover on the site.

5. Complainant believes that no further relief is necessary or warranted against either of the aforesaid Respondents at this time.

ENVIRONMENTAL PROTECTION AGENCY

WILLIAM J. SCOTT
ATTORNEY GENERAL

BY: Ann L. Carr

Ann L. Carr
Assistant Attorney General
Environmental Control Division
Southern Region

500 South Second Street
Springfield, Illinois 62706
(217) 782-9033

DATED: February 24, 1978

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)


A F F I D A V I T

I, ANN L. CARR, do affirm and state as follows:

1. I am an Assistant Attorney General for the State
of Illinois assigned to the cause.

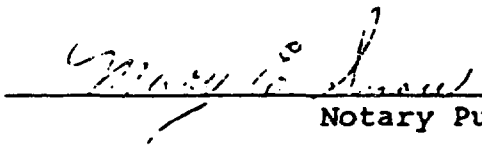
2. That I have prepared and read the foregoing Motion
and that the allegations contained therein are true and correct.

Further Affiant sayeth not.



Ann L. Carr
Affiant

SUBSCRIBED AND SWORN to before me
this 24th day of February, 1978.



Notary Public

My commission expires: August 1980